



ATTORNEYS AT LAW



Robert Greene Sterne
Edward J. Kessler
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimbala
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
Steven R. Ludwig
John M. Covert
Linda E. Alcorn
Robert C. Milligan
Lawrence B. Bugalsky
Donald J. Featherstone
Michael V. Messinger

Judith U. Kim
Timothy J. Shea, Jr.
Patrick E. Garrett
Jeffrey T. Helvey*
Heidi L. Kraus
Crystal D. Sayles
Edward W. Yee
Albert L. Ferro*
Donald R. Banowitz
Peter A. Jackman
Molly A. McCall
Teresa U. Medler
Jeffrey S. Weaver
Kendrick P. Patterson
Vincent L. Capuano
Albert J. Fasulo II*
Eldora Ellison Floyd
W. Russell Swindell

Thomas C. Flata
Brian J. Del Buono*
Virgil Lee Beaston*
Reginald D. Lucas*
Kimberly N. Reddick
Theodore A. Wood
Elizabeth J. Haanes
Bruce E. Chalker
Joseph S. Ostroff
Frank R. Cottingham*
Christine M. Uhller
Rae Lynn Pregaman*
Jane Shershenovich*
Lawrence J. Carroll*

Senior Counsel
Samuel L. Fox
Kenneth C. Bass III

Registered Patent Agents
Karen R. Markowicz
Andrea J. Kamage
Nancy J. Leith
Joseph M. Conrad III
Ann E. Summerfield
Helene C. Carlson
Gaby L. Longsworth
Matthew J. Dowd
Aaron L. Schwartz
Angelique G. Uy
Boris A. Matvenko
Mary B. Tung

*Admitted only in Maryland
*Admitted only in Virginia
*Admitted only in Texas

#101888

July 3, 2002

RECEIVED

JUL 08 2002

WRITER'S DIRECT NUMBER:

(202) 371-2560

INTERNET ADDRESS:

RESMOND@SKGF.COM

Commissioner for Patents
Washington, D.C. 20231

TECH CENTER 1600/2900

Attn: Office of Initial Patent
Examination's Customer
Service Center

Re: U.S. Utility Patent Application
Appl. No. 10/026,952; Filed: December 27, 2001
For: **Primers and Methods for the Detection and Discrimination of Nucleic Acids**
Inventors: Nazarenko *et al.*
Our Ref: 0942.4980006/RWE/MTT

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Request for Corrected Official Filing Receipt;
2. A photocopy of the Official Filing Receipt with corrections noted in red;
3. A photocopy of the Preliminary Amendment;
4. A photocopy of the postcard receipt;
5. A photocopy of the granted Decision on Petition regarding U.S. Patent Application No. 09/748,146; and
6. One (1) return postcard.

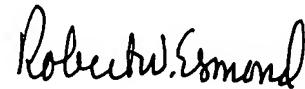
It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
July 3, 2002
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency,
or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Robert W. Esmond
Attorney for Applicants
Registration No. 32,893

Enclosures

::ODMA\MHODMA\SKGF_DC1;30441;1
SKGF Rev. 2/15/02 dcw



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

NAZARENKO *et al.*

Appl. No. 10/026,952

Filed: December 27, 2001

For: **Primers and Methods for the
Detection and Discrimination of
Nucleic Acids**

Confirmation No. 7365

Art Unit: 1623

Examiner: *To be assigned*

Atty. Docket: 0942.4980006/RWE/MTT

Request for Corrected Official Filing Receipt

Commissioner for Patents
Washington, D.C. 20231

Attn: Office of Initial Patent
Examination's Customer
Service Center

Sir:

Applicants hereby request that a corrected Official Filing Receipt be issued and sent to the undersigned representative. Specifically, the following corrections to the Official Filing Receipt are requested: Domestic Priority Data has previously been corrected in a Preliminary Amendment filed on April 30, 2002. A copy of the Preliminary Amendment and the postcard receipt are provided herewith. A copy of a granted Petition to convert Non-Provisional U.S. Patent Application 09/748,146 into a Provisional Application is also provided to support Applicants' claim to priority in the Preliminary Amendment. In support of the above request, a photocopy of the instant Official Filing Receipt is enclosed with the corrections noted in red. It is requested that a corrected Official Filing Receipt be issued, and sent to the undersigned at the earliest possible time.

Respectfully submitted,
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Robert W. Esmond
Attorney for Applicants
Registration No. 32,893

Date: July 3, 2002
1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934
(202) 371-2600
::ODMA\HODMA\SKGF_DC1;29917;1

TECH CENTER 1600/2900

JUL 08 2002

RECEIVED



UNITED STATES PATENT AND TRADEMARK OFFICE



RECEIVED

Page 1 of 2

JUL 08 2002

COPY

TECH CENTER 1600/2900

COMMISSIONER FOR PATENTS

UNITED STATES PATENT AND TRADEMARK OFFICE

WASHINGTON, D.C. 20231

www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/026,952	12/27/2001	1623	3622	0942.4980006/RWE/AGU	60	74	17

26111
STERNE, KESSLER, GOLDSTEIN & FOX PLLC
1100 NEW YORK AVENUE, N.W., SUITE 600
WASHINGTON, DC 20005-3934

CONFIRMATION NO. 7365
UPDATED FILING RECEIPT



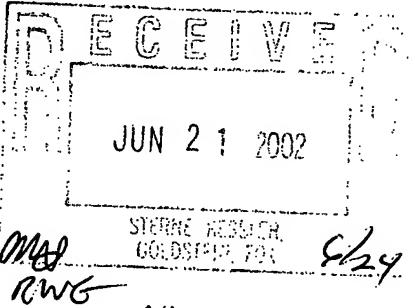
OC000000008307608

Date Mailed: 06/18/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Irina Nazarenko, Gaithersburg, MD;
Ayoub Rashtchian, Gaithersburg, MD;
Joseph Solus, Madison, AL;
Richard M. Pires, Germantown, MD;
Marlene Darfler, Derwood, MD;
Gulilat Gebeeyehu, Potomac, MD;
Mekbib Astatke, Germantown, MD;



Assignment For Published Patent Application

Invitrogen Corporation;

Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/330,468 10/23/2001 AND 09/748,146 filed on
12/27/2000

Foreign Applications

If Required, Foreign Filing License Granted 01/30/2002

Projected Publication Date: 04/24/2003

Non-Publication Request: No

Early Publication Request: No

Title

Primers and methods for the detection and discrimination of nucleic acids

Preliminary Class

536

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

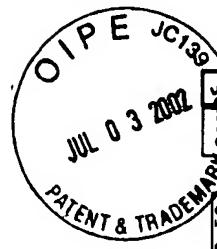
NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



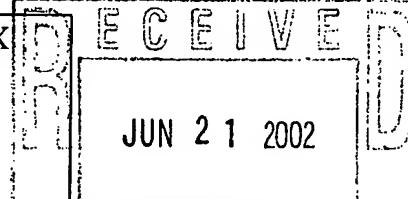
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov



APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/026,952	12/27/2001	Irina Nazarenko	0942.4980006/RWE

STERNE, KESSLER, GOLDSTEIN & FOX
SUITE 600
1100 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005-3934



RECEIVED

JUL 08 2002

TECH CENTER 1600/2900

STERNE, KESSLER,
GOLDSTEIN, FOX

Date Mailed: 06/18/2002

MOS RWE JUN 21 2002 RUE

MT 6/21 MT

RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Claims, Fees, Inventors and Continuity

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- The total number of claims appearing on the Filing Receipt does not include multiple dependent claims. The total fee appearing on the Filing Receipt includes the cost of multiple dependent claims that were present at the time the application was filed.
- The filing fee is correct. It may include additional claims fees and/or the surcharge under 37 CFR 1.16(e) for filing an oath/declaration or basic filing fee after the application filing date.
- The inventor information may be truncated if the family name consists of more than 50 characters (letters and spaces combined) and if the given name consists of more than 50 characters (letters and spaces combined).
- The inventor's residence allows for up to 40 characters (letters and spaces combined).
- The inventor's residence will only include the city and state for U.S. residences or city and country for residences outside the U.S. (See MPEP 605.02).
- The docket number allows a maximum of 25 characters.
- The priority or continuity will not be entered because it was not filed during the required time period. Applicant may wish to consider filing a petition to accept an unintentionally delayed claim for priority. See 37 CFR 1.55 or 1.78.
- Continuity claimed under 35 USC 120 cannot be added to the Filing Receipt without the

applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an amendment or Application Data Sheet.

Foreign priority will appear on the Filing Receipt in the following order:
Country, Application number, Filing date.

The person signing on behalf of the deceased inventor is reflected on the Filing Receipt as the legal representative.

The filing date of a parent application cannot be changed by this request. A petition to correct the filing date in the parent application is required.

Oleks Fekete

Customer Service Center
Office of Initial Patent Examination
(703) 308-1202

RECEIVED

JUL 08 2002

TECH CENTER 1600/2900

COPY



Applicants: NAZARENKO *et al.*

Due Date: April 30, 2002
Art Unit: 1623

Examiner: To be assigned
Docket: 0942.4980006

Filed: December 27, 2001
For: Primers and Methods for the Detection and Discrimination of Nucleic Acids

When receipt stamp is placed hereon, the USPTO acknowledges receipt of the following documents:

1. SKGF Cover Letter;
2. PTO Fee Transmittal Form PTO/SB/17;
3. Petition for Extension of Time Under 37 C.F.R. § 1.136(a)(1);
4. Copy of the Notice to File Missing Parts;
5. Preliminary Amendment;
6. Letter to PTO Draftsman: Submission of Formal Drawings;
7. 60 sheets of Formal Drawings with (Figures 1A-1B, 2A-2B, 3-4, 5A-5C, 6-12, 13A-13B, 14-15, 16A-16B, 17A-17B, 18A-18D, 19A-19D, 20A-20D, 21, 22A-22B, 23, 24A-24B, 25A-25B, 26A-26B, 27A-27C, 28-38, 39A-39C, 40, 41A-41B, 42A-42D, 43A-43B, 44A-44B, 45, and 46);
8. Paper and computer readable copy of Sequence Listing;
9. Five (5) Original Declarations, executed by the inventors;
10. An original executed Power of Attorney from Assignee;
11. Assignee 37 C.F.R. § 3.73(b) Statement with copy of Five (5) Assignments attached;
12. Our Check No. 35016 for \$3,732.00 to cover: \$740.00 Filing Fee for Patent Application (37 C.F.R. § 1.16); \$110.00 Extension of Time fee; \$2,752.00 Fee for excess claims (37 C.F.R. § 1.16); and \$130.00 Surcharge for late filing of Declaration (37 C.F.R. § 1.16); and
13. Return postcard.



Please Date Stamp And Return To Our Courier

Box: Missing Parts
Serial No.: 0942.4980006